

### **REMARKS**

Claims 1, 3-7, 9-11, 13-17, 19-21 and 23-28 are currently pending in the present application, with claims 1, 7, 11, 17, 21, 25 and 27 being written in independent form. By virtue of this amendment, Applicant has amended claims 1, 7, 11, 17, 21, 25 and 27. Support for the amendments made to claims 1, 7, 11, 17, 21, 25 and 27 may be found, for example, on page 17, lines 12-19 of the specification.

### **DRAWINGS**

Applicant acknowledges and thanks the Examiner for the acceptance of the drawings filed February 12, 2004 and November 2, 2004, as indicated on the Office Action Summary dated April 12, 2005.

### **PRIORITY DOCUMENTS**

Applicant acknowledges and thanks the Examiner for the indication of the receipt of certified copies of all of the necessary priority documents in parent application no. 09/623,195.

### **PRIOR ART REJECTIONS**

#### ***Rejections under 35 U.S.C. § 102***

Initially, on page 2 of the Office Action, the Examiner quotes paragraphs of 35 U.S.C. §102(e) normally used in an anticipation rejection of claims 17, 19-21 and 23-28 in view of Ozawa (U.S. Patent No. 5,929, 977, hereinafter referred to as "Ozawa"). However, thereafter, the Examiner submits that claims 17, 19-21 and 23-28 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ozawa. Applicant assumes that this inconsistency may be a

result of a typographical error and, as such, will address the above rejection as an anticipation rejection in view of Ozawa. Thus, Applicant respectfully traverses the above rejection, especially in view of claims 17, 21, 25 and 27 as now amended.

In FIG. 3 of Ozawa, during a scanning exposure operation, an exposure controller 26 supplies an emission trigger signal TS with a predetermined frequency to the light source 1 to effect pulse emission. The exposure controller 26 measures a fluctuation in light quantity of the pulse illumination light from the detection signal DS. The detection signal DS is provided by an integrator sensor 25.

In response to a emission delay time  $T_d$  (which has been previously measured and stored in a memory within the exposure controller 26), the exposure controller 26 adjusts the timing of the emission trigger signal TS in order to compensate for emission jitter, that is, a fluctuation in the emission delay time  $T_d$ . This emission jitter compensation allows the system of Ozawa to compensate for fluctuations in exposure quantity which may occur at the first and last portions in each shot area. That is, fluctuations in the size of the illuminated area.

In compensating for this emission jitter, assuming that the expected time for starting exposure with respect to a certain shot area is  $T_1$ , the actual exposure (illumination) start time is advanced to  $(T_1 - T_d)$ . Also, assuming that the expected time for terminating exposure with respect to a certain shot area is  $T_2$ , the actual exposure end time is set to  $(T_2 + T_d)$ .

However, Applicant respectfully submits that Ozawa fails to teach or suggest at least, varying a "trigger signal timing," to "at least partially correct for pattern placement errors," as set forth in claim 17, for example. Instead, at most, the system of Ozawa merely compensates for the size of the "shot area." That is, the system of Ozawa, at most, adjusts the edges of the area illuminated

during scanning. The system of Ozawa does not, however, adjust the placement of the pattern in any way. Accordingly, Applicant respectfully submits that Ozawa fails to teach or suggest varying a "trigger signal timing," to "at least partially correct for pattern placement errors," as set forth in claim 17, for example. In view of the above, Applicant respectfully submits that claim 17 is in condition for allowance.

With regard to independent claims 21, 25 and 27, Applicant respectfully submits that these claims are also allowable for at least reasons somewhat similar to those set forth above with regard to claim 17; however, claims 21, 25 and 27 should be interpreted solely by the limitations present therein.

With regard to claims 19, 20, 23, 24, 26 and 28, Applicant respectfully submits that these claims are also allowable at least by virtue of their dependency on independent claims 17, 21, 25 and 27.

### ***Rejections under 35 U.S.C. §103***

Claims 1, 3-7, 9-11 and 13-16 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Ozawa in view of Nelson (U.S. Patent No. 5,523,193, hereinafter referred to as "Nelson"). Applicant respectfully traverses this rejection, especially in view of claims 1, 7 and 11 as now amended.

Similar to that as discussed above with regard to claim 17, for example, Applicant respectfully submits that Ozawa fails to teach or suggest at least, varying a "trigger signal timing" to "at least partially correct for pattern placement errors," as set forth in claim 1, for example.

On page 5 of the Office Action, the Examiner correctly recognizes that Ozawa fails to teach or suggest at least, a "spatial light modulator (SLM)," an "electronic data processing and delivery system," and an "electronic control system," as set forth in claim 1, for example, and relies upon Nelson for allegedly teaching these limitations. However, even assuming *arguendo* that

Nelson could be combined with Ozawa (which Applicant does not admit), Applicant respectfully submits that Nelson still fails to teach or suggest varying a "trigger signal timing," to "at least partially correct for pattern placement errors," as set forth in claim 1, for example, and as such, still fails to at least make up for the deficiencies of Ozawa as discussed above.

With regard to independent claims 7 and 11, Applicant respectfully submits that these claims are also allowable for at least reasons somewhat similar to those set forth above with regard to claim 1; however, claims 7 and 11 should be interpreted solely by the limitations presented therein.

With regard to dependent claims 3-6, 9-10 and 13-16, Applicant respectfully submits that these claims are allowable at least by virtue of there dependency on independent claims 1, 7 and 11.

## **CONCLUSION**

In view of the above, Applicant respectfully requests reconsideration and allowance of each of claims 1, 3-7, 9-11, 13-17, 19-21 and 23-28.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number of the undersigned below.

If necessary, the Commissioner is authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By 

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